

Idaho Special Education Advisory Panel By-laws 2013-2014

Outline of Contents

- 1. Panel Name**
- 2. Purpose**
- 3. Membership**
- 4. Term of Office**
- 5. Resignation**
- 6. Vacancy**
- 7. Termination of Membership**
- 8. Meetings**
- 9. Voting Rights**
- 10. Panel Member Duties and Responsibilities**
- 11. Executive Committee**
- 12. Standing Committees**
- 13. Removal of an Officer**
- 14. Amendments to the By-laws**

Idaho Special Education Advisory Panel

By-laws 2013-2014

1. Panel Name

The name of the Panel shall be the Idaho Special Education Advisory Panel (SEAP).

2. Purpose

The purpose and duties of the Idaho Special Education Advisory Panel shall be to advise the State in ways that promote services for children and youth with disabilities. SEAP exists under the authority of the Code of Federal Regulations implementing the Individuals With Disabilities Act. SEAP shall serve as a forum by which issues regarding current and potential services to individuals with disabilities may be discussed by consumer, public, private, professional, and lay interests.

Specific responsibilities of SEAP include:

- a) Advise the State Department of Education (SDE) of unmet needs within Idaho in the education of students with disabilities;
- b) Comment publicly on any rules or regulations proposed by the State regarding the education of students with disabilities;
- c) Advise the SDE in developing evaluations and reporting on data to the U.S. Secretary of Education as required;
- d) Advise the SDE in developing and implementing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act;
- e) Advise the SDE in developing and implementing policies relating to the funding and/ or coordination of services for students with disabilities;
- f) Advise the SDE on the education of students with disabilities who have been convicted as adults and incarcerated in adult prisons; and
- g) Advise the SDE on its comprehensive system of personnel development (CSPD) function to aid in recruiting, preparing, and retaining qualified personnel.

In order to promote activities that facilitate services for all students with disabilities, SEAP shall:

- a) Identify annual priorities;
- b) Educate the public, educators, and policy makers
 - Promote awareness
 - Disseminate information
 - Advocate for quality education;
- c) Facilitate dialogue between service providers, the SDE, and institutions of higher education;
- d) Review and respond to activities/documents produced by the state special education department;
- e) Receive and offer public comment.

Idaho Special Education Advisory Panel By-laws 2013-2014

3. Membership¹

SEAP membership is established by federal and state law. The membership of SEAP shall consist of members appointed by the State Superintendent of Public Instruction, who is authorized under state law to make these appointments. SEAP shall be representative of Idaho's population, and composed of individuals involved in, or concerned with, the education of students with disabilities. Parents of students with disabilities and individuals with disabilities shall compose a majority (51% or more) of panel membership.

Panel membership shall include representation from each of the following constituencies:

- a) Parents of students with disabilities (ages birth–26 years)
- b) Individuals with disabilities;
- c) Teachers;
- d) Institutions of higher education that prepare special education and related services personnel;
- e) State and local education officials;
- f) Administrators of programs for students with disabilities;
- g) Other state agencies involved in the financing or delivery of related services to students with disabilities;
- h) Private schools and public charter schools;
- i) Vocational, community, or business organizations concerned with the provision of transition services to students with disabilities;
- j) State juvenile and adult corrections agencies;
- k) Child welfare/foster care agencies
- l) Agencies providing services under the McKinney-Vento Act for children who are homeless

Other individuals may serve on the panel as at-large members, appointed at the discretion of the chairperson. The state special education director or his/her designee shall serve as an ex-officio member of the panel.

The number of SEAP panel members shall not exceed 25.

Membership effectiveness is enhanced by:

- Personal and/or professional experience with special education programs;
- A knowledge and understanding of special education regulations;
- The capability to gather information from and to report back to organizations or constituencies which are involved in the various aspects of the provision of special education services;
- The willingness to commit time to actively participate in all SEAP meetings; and
- Active participation on committees or work groups.

Nominations for members shall be solicited from appropriate educational organizations, parent organizations and other appropriate sources. The vice-chairperson shall solicit applications for membership prior to the last panel meeting of the academic year. The

¹ Unless otherwise noted, the term 'year' in this and subsequent section of this document refers to the period from July 1st of one calendar year through June 30th of the subsequent calendar year.

Idaho Special Education Advisory Panel By-laws 2013-2014

executive committee shall review these applications and their recommendations shall be provided to the State Department of Education by June 15, so that appointments may be made by July 1.

4. Term of Office

SEAP members shall be appointed to a term of three years, except when an appointment is made in order to fill an unexpired term. A rotation of members' terms shall occur to retain at least two-thirds of the members each year.

A panel member who becomes vice-chairperson in the third year of his/her term shall automatically have his/her term extended for one year. A panel member who becomes Historian in the third year of his/her term shall automatically have his/her term extended for one year. Other panel members who desire to have his/her term extended shall submit an application for reappointment to the panel.

Panel members representing state agencies may be nominated by their agency at the end of each term without regard to the number of terms previously served. All other members are limited to two consecutive full terms.

5. Resignation

Any member may resign at any time by giving written notice to the State Superintendent of Public Instruction. A resignation shall take effect on the date of receipt of the notice.

6. Vacancy

Any vacancy in SEAP may be filled for the remainder of the unexpired term by a candidate recommended by the executive committee. The recommended candidate shall represent the same constituency as the SEAP member being replaced, and shall be subject to all by-laws. A member appointed to complete a vacant term may apply for up to two additional full membership terms.

7. Termination of Membership

Upon recommendation of the executive committee, an appointee to SEAP shall be removed if he/she no longer qualifies as an appointee in the category for which he/she was selected. Membership may be terminated for any member who is absent from two consecutive, regular meetings within one year. Termination of membership shall be confirmed by a two-thirds vote of the panel. Members who may have their appointment terminated shall be notified in writing by the chairperson at least 14 days before the meeting at which the termination vote takes place and shall be given an opportunity prior to the vote to provide information as to why they should not be terminated. The chairperson may request the resignation of any member or remove a panel member upon a two-thirds vote of SEAP membership if the member fails to carry out those responsibilities assumed by appointment to the panel.

Idaho Special Education Advisory Panel

By-laws 2013-2014

8. Meetings

The Special Education Advisory Panel shall meet as often as necessary to conduct its business, usually three times a year. Official minutes shall be kept on all Panel and Executive Committee meetings and distributed to the panel members within three weeks of the relevant meeting. Upon approval of the minutes, usually at the subsequent panel or committee meeting, they will be made available to the public upon request. Meetings shall be conducted and decisions reached in cooperation with the established Operating Guidelines. The panel will set a schedule of meeting dates for the upcoming year at the last meeting of the current year. All meetings shall be open to the public.

9. Voting Rights

Panel decisions shall be determined by consensus, as described in the Operating Guidelines. If two or more panel members cannot agree with the decision, a vote shall be taken following a discussion of the issue. Decisions submitted to a vote shall be determined by a simple majority vote. Proxy voting and absentee ballots shall not be permitted.

Members who are not in attendance for a regular meeting forfeit their right to vote on any issues discussed at that meeting. Any member who is unable to be in attendance for a regular meeting is encouraged to send a substitute. Substitutes shall represent the same constituency as the member for whom they are substituting. Substitutes shall not be permitted voting privileges, however, are permitted to participate in any discussion.

10. Panel Member Duties and Responsibilities

Panel member duties and responsibilities shall include the following:

- a) Actively review and research information and issues in preparation for panel meetings.
- b) Survey the constituency the member represents regarding issues before the panel.
- c) Attend and actively participate in discussions and decision making during all panel meetings.
- d) Be prepared to share the information and decisions from panel meetings in with their constituencies.
- e) Actively participate in standing committee activities as requested by the executive committee.

11. Executive Committee

The executive committee shall consist of the Chairperson, Vice-Chairperson, Secretary, Historian, the Chairperson of any standing committee(s) and any additional panel members appointed by the chairperson.

The duties of the executive committee shall include:

- a) Overseeing nomination process;
- b) Assisting chairperson in developing an annual report; and
- c) Assisting chairperson in developing meeting agendas.

Idaho Special Education Advisory Panel

By-laws 2013-2014

The officers of SEAP shall be the Chairperson, Vice-Chairperson, Secretary, and Historian.

A new Vice-Chairperson and Secretary shall be elected from the SEAP membership by the final regular meeting of the year. The former Vice-Chairperson shall assume the office of Chairperson and the former Chairperson shall assume the office of Historian and the new Vice-Chairperson and Secretary shall assume their respective positions immediately upon the conclusion of the final regular meeting of the year. The section on Voting Rights above notwithstanding, election of officers shall be by secret ballot, requiring a simple majority of the votes cast, and shall not occur unless there is a majority of voting members present.

Assigned duties of the Chairperson shall include:

- a) Communicate with the state special education representative;
- b) Preside at panel meetings;
- c) Work with members of the executive committee to develop meeting agendas;
- d) Coordinate panel activities with the state special education staff;
- e) Draft correspondence and reports;
- f) Appoint work groups and standing committees to address topical issues;
- g) Develop and submit to the SDE an annual report of panel activities and recommendations.

Following the final meeting of each year, the Panel Chairperson shall develop a report of Panel activities and recommendations. This report shall be submitted to the State Superintendent of Public Instruction by July 1. The SDE will make the report available to the general public.

Assigned duties of the Vice-Chairperson shall include:

- a) Perform the duties of the chairperson in the absence of the chairperson;
- b) Coordinate and facilitate the annual orientation training for new panel members;
- c) Act as a parliamentarian during panel meetings;
- d) Assist the chairperson when requested.

The vice-chairperson shall automatically become the chairperson for the following year. If the vice-chairperson is unable to assume the role of chairperson, panel members shall elect a new chairperson at the last meeting of the year.

Assigned duties of the Secretary shall include:

- a) Record meeting minutes and distribute to panel members;
- b) Provide approved minutes to the SDE for posting on SEAP website;
- c) Coordinate with state special education department to prepare meeting material;
- d) Provide agenda and meeting material to panel members for their review before each meeting
- e) Assist with chairperson, vice-chairperson, and executive committee tasks as requested.

Assigned duties of the Historian shall include:

- a) Provides guidance and assistance to the Executive Committee in the development of the SDE Annual Report of panel activities and recommendations.
- b) Provide guidance and support to the Chairperson in executing official duties.

Idaho Special Education Advisory Panel By-laws 2013-2014

12. Standing Committees

The executive committee shall create standing committees for the following school year, according to identified needs. Persons other than SEAP members may be appointed to these committees.

The duties and expectations of each standing committee will vary according to their purpose, and be clearly presented to each committee member.

13. Removal of an Officer

Any officer of SEAP may be removed by a two-thirds vote of all members when those members deem it in the best interest of SEAP to do so.

14. Amendments to the By-laws

When amendments to the by-laws are to be considered, a written proposal shall be submitted to panel members for their review before a regular meeting. After review and discussion at the meeting, and in the absence of a consensus in favor of adoption, a two-thirds vote of the members present is necessary for adoption of the amendment.

Special Education Advisory Panel (SEAP) Operating Guidelines

Revised September 2007

The full Panel shall meet at the time(s) set during the final meeting the previous year or as determined by the Executive Committee, usually three times per year as per the SEAP By-laws. Interpreters and other necessary accommodations shall be provided at Panel meetings for Panel members or participants as requested.

1. Conducting Meetings

a) Ground Rules

In order to facilitate an orderly meeting, and keep to the time scheduled on the agenda, the following rules are to be observed during SEAP meetings:

- Give the speaker your full, undivided attention. No side conversations.
- Only one person speaking at a time. Conversely, please do not monopolize the speaker's time – be brief and give others a chance to ask questions or make comments, too.
- Raise your hand to indicate that you have a comment or question. Questions or comments about a specific situation (e.g., “but my friend's son's school says...”) or not on the topic at hand should be presented in the Information Notebook or Parking Garage discussed in section d below.
- Ask clarifying questions; Panel members come to the meetings with a wide range of experience and knowledge about education issues, so if you have a question or don't understand what is being said, chances are others may have similar issues.
- Do not use acronyms, or at least, use the full term before using the acronym.
- While all SEAP meetings are usually open to the public, if you report to another group or agency about what happened at the meeting, please do not use people's names, for example when someone talks about something personal.
- Be polite – don't be rude to one another. We can disagree with someone and feel passionate about an issue without making conflict personal.
- Disagreement is good – we can learn more and think more deeply about an issue when hearing all sides.
- Arrive to meetings and return from breaks in a timely manner out of respect for our speakers.

Special Education Advisory Panel (SEAP) Operating Guidelines

- Mute or turn off cell phones.

If you have any concern about any of these rules not being followed, please speak to the Chair or Vice-Chair.

b) Voting by Consensus

Panel decisions shall be made by consensus (a decision each person can live with, can agree not to sabotage, and has an opportunity to voice an opinion about). A consensus is not a unanimous decision or a majority vote. It may not be everyone's first choice: if a participant cannot live with a particular decision he/she has an obligation to state an opinion. Should two or more panel members object, the Chairperson is to call for a majority vote following discussion. When entering into a consensus agreement, there are ground rules for discussion:

- Respect others' ideas and feelings.
- Participate and give others the opportunity to speak.
- Be brief.
- Listen carefully.
- If you don't understand, ask for clarification.
- Work for a win/win situation.
- Seek a decision you can support.

At the Chair's discretion, the Panel may use the following technique:

Use three colored cards – green, yellow and red. When the cards are called for, each member must evaluate the issue at hand and hold up the appropriate card.

Green card = agree

Yellow card = I have reservations, but I can live with it

Red card = No

If all cards are either green or yellow, consensus has been reached. Any person holding a red card will be asked for an explanation and what could be changed to enable that person to hold up either the yellow or green card. If a change or modification is suggested, all members have another show of cards. This activity will continue until consensus is reached, or if consensus does not appear to be reachable, and it was agreed upon prior to the activity, there will be a roll call vote to establish a majority opinion.

For more information on consensus decision making, please refer to "*A Primer for*

Special Education Advisory Panel (SEAP) Operating Guidelines

State Special Education Advisory Panel Members and SEA Staff” pgs. 4-5, found on the SEAP website at <http://www.sde.idaho.gov/SpecialEducation/seap.asp>

c) Information/Sharing Table

The purpose of the table is to provide a place for panel members, providers, school personnel and/or others to disseminate information useful to panel members. Panel members are encouraged to provide brochures, pamphlets or other information of interest to share with the Panel. A member of the Executive Committee will be in charge of setting up the table and storing materials between meetings. There will be accompanying cards for sharers to provide their contact information for Panel members who may have additional questions about the information being provided.

d) Information Notebook

If a panel member wishes a speaker or other panel member to address a question related to a specific situation, such as specific services their child or a member of their constituency is/is not receiving, an “Information Notebook” will be provided on an Information/Sharing Table at each Panel meeting. The Information Notebook will be reviewed by the Executive Committee following each meeting. The Executive Committee will attempt to find answers to these questions and provide them to either the individual Panel member or the Panel as a whole, as appropriate. In addition, if the Executive Committee determines the issue is one that would interest the Panel as a whole, a discussion or presentation on the topic may be scheduled at a subsequent meeting.

e) Parking Garage

In order to assist the Chairperson in keeping the discussion on topic, a “Parking Garage” white board or other media will be provided to track ideas, comments, or questions tangential to the focus of the topic being discussed. Members are strongly encouraged to record such thoughts on the Parking Garage. There will be time on the agenda at the end of the day/meeting for the discussion of “parked” questions and issues.

f) Action Plans

At the discretion of the Chairperson, a panel member may be appointed to act as “Recorder” for tracking panel decisions on an Action Plan. The State Department of Education administrative support person in attendance may be asked to undertake this function. The role of the “Recorder” is separate from the Secretary’s responsibilities in taking the minutes.

Special Education Advisory Panel (SEAP) Operating Guidelines

2. Between Meetings

Out of necessity, some of our panel business will need to be handled through the U.S. Mail, e-mails or telephone calls. Please take time to read or listen to messages or calls carefully and respond to them in a timely manner. Everyone wants to feel the lines of communication are open and working effectively.

Please complete any work you have committed to do for the next meeting. Our effectiveness as a Panel depends as much on what we do between Panel meetings as during them. If you feel you will need a reminder, particularly as it may be several months between Panel meetings, please ask the Chair, Vice-Chair or Secretary.

3. Panel Member Reimbursement by SDE

The State Department of Education shall reimburse Panel members for reasonable and necessary expenses for attending meetings and performing duties as established by the State of Idaho. Panel members may not receive compensation. Reimbursable expenses may include cost for childcare, attendant care, transportation, lodging, meals, and accommodations, such as interpreters.

The State Department of Education shall reimburse consumers, parents, and/or other members attending Panel meetings outside the scope of their employment for lost wages. Reimbursement for lost wages will be the amount of lost wages, not to exceed the maximum daily amount set by the State Department of Education. The member must submit a request to the State Department of Education for approval stating the circumstances and the amount of reimbursement requested. A designee of the State Department of Education and the Panel chair will approve or deny the request.

4. Amendments to Operating Guidelines

These guidelines have been incorporated into the Panel By-Laws by reference (see By-Laws section 9) and may be amended by the same procedure.